

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** Tuskawilla Acres Small Scale Future Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) and Rezone from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Dan Matthys **CONTACT:** Tina Williamson EXT. 7353

Agenda Date 4/25/2006 Regular  Consent  Work Session  Briefing   
Public Hearing – 1:30  Public Hearing – 7:00

**MOTION/RECOMMENDATION:**

1. DENY a request for a Small Scale Future Land Use amendment from SE (Suburban Estates) to LDR (Low Density Residential) and a rezone from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district, on 6.5 ± acres, located at 4777 Gabriella Lane, approximately 1050 feet east of Tuskawilla Road, based on staff findings (William H Abbot, applicant); or
2. APPROVE a request, and authorize the Chairman to execute the attached ordinances for, a Small Scale Future Land Use amendment from SE (Suburban Estates) to LDR (Low Density Residential) and a rezone from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district, on 6.5 ± acres, located at 4777 Gabriella Lane, approximately 1050 feet east of Tuskawilla Road (William H Abbot, applicant); or
3. CONTINUE the item to a time and date certain.

District 1 – Comm. Dallari

Tina Williamson, Principal Coordinator

**BACKGROUND:**

The applicant is requesting a Small Scale Future Land Use amendment from SE (Suburban Estates) to LDR (Low Density Residential) and a rezone from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district. The subject property contains 6.5 ± acres and is located at 4777 Gabriella Lane, approximately 1050 feet east of Tuskawilla Road. The requested Future Land Use designation allows a maximum density of 4 dwelling units per net buildable acre.

Reviewed by:	<u>KFT</u>
Co Atty:	<u>KFT</u>
DFS:	_____
OTHER:	_____
DCM:	<u>KS</u>
CM:	<u>KS</u>
File No.	ph130pdp02

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The requested zoning allows residential lots with a minimum of 13,500 square feet and a minimum lot width of 100 feet.

**STAFF RECOMMENDATION:**

Staff recommends DENIAL of a request for a Small Scale Future Land Use amendment from SE (Suburban Estates) to LDR (Low Density Residential) and a rezone from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district, on 6.5 ± acres, located at 4777 Gabriella Lane, approximately 1050 feet east of Tuskawilla Road.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

The Planning and Zoning Board met on March 1, 2006 and voted 5-0 to recommend DENIAL of a request for a Small Scale Future Land Use amendment from SE (Suburban Estates) to LDR (Low Density Residential) and a rezone from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district, on 6.5 ± acres, located at 4777 Gabriella Lane, approximately 1050 feet east of Tuskawilla Road, based on staff findings.

Attachments:

Staff Analysis  
Location Map  
FLU/Zoning  
Aerial Photo  
Small Scale Land Use Amendment Ordinance  
Rezone Ordinance  
3/1/2006 Planning and Zoning Board Minutes  
Letters from Concerned Citizens

**Tuskawilla Acres**  
**SSLUA from SE to LDR**  
**Rezone from A-1 to R-1AAA**

<b>APPLICANT</b>	William H Abbott	
<b>PROPERTY OWNER</b>	Bernice A Abbott	
<b>REQUEST</b>	Small Scale Land Use Amendment from SE (Suburban Estates) to LDR (Low Density Residential) & Rezone from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district	
<b>PROPERTY SIZE</b>	6.5 ± acres	
<b>HEARING DATE (S)</b>	P&Z: March 1, 2006	BCC: April 25, 2006
<b>PARCEL ID</b>	25-21-30-300-038A-0000 & 25-21-30-300-038B-0000	
<b>LOCATION</b>	4777 Gabriella Lane, 1050 ± feet east of Tuskawilla Road	
<b>FUTURE LAND USE</b>	SE (Suburban Estates)	
<b>ZONING</b>	A-1 (Agriculture) district	
<b>FILE NUMBER</b>	Z2006-02 / 02-06SS.02	
<b>COMMISSION DISTRICT</b>	#1 – Dallari	

**Proposed Development:**

The applicant is proposing to rezone the subject property to accommodate a development of 3 to 4 dwelling units per acre.

**ANALYSIS OVERVIEW:**

**HISTORICAL ANALYSIS**

The applicant is requesting to change the Future Land Use designation of the subject property from SE (Suburban Estates) to LDR (Low Density Residential) and to change the zoning from A-1 (Agriculture) district to R-1AAA (Single Family Dwelling) district. The requested Future Land Use amendment would permit up to 4 dwelling units per net buildable acre and the requested zoning classification would permit single family development with a minimum lot size of 13,500 square feet and a minimum lot width of 100 feet. Under the Vision 2020 Comprehensive Plan, the subject property is currently programmed for a maximum of 1 dwelling unit per net buildable acre. The applicant's property is surrounded by parcels with SE (Suburban Estates) Future Land Use and A-1 (Agriculture) district zoning to the North, East, and West. The parcels to the South and Southwest do have a Future Land Use designation of Low Density Residential and Medium Density Residential; however, the sections that are contiguous to the subject site are wetlands.

In 1995 the County conducted the Bear Gully Creek Small Area Study. The Study found that the majority of the residents in the area of the subject property wanted to maintain the community as a large lot residential neighborhood as an alternative housing choice within the urbanized area. Although the study area had been designated as Low Density Residential (LDR) in the Comprehensive Plan since 1977, the most intensive zoning in the area was A-1

(1 acre lots) for more than thirty years. The neighborhood had developed primarily into 2 ½ to 5 acre lots within the study area, with the majority of the community believing that the surrounding properties would be developed in a manner and density that was compatible with the existing development and protected their suburban estates lifestyle.

The Study also found that stormwater and drainage problems negatively impact much of the land within the study area. The unimproved drainage systems put in place for agricultural uses needed to be improved before more intensive urban development could occur. The internal traffic circulation system within the study area was substandard and not designed to serve more intense urban development. Since much of the land in the study area was already developed as large acreage lots, one house per acre was considered an increase in density over the current use of the surrounding development. In December 1995 the Board of County Commissioners changed the Future Land Use of the study area from LDR (Low Density Residential) to SE (Suburban Estates).

Staff finds that the analysis in the Bear Gully Creek Small Area Study is still valid and that the request is not compatible with the Future Land Use designations and zoning districts of the area.

**LAND USE / ZONING REQUEST**

The following table depicts the allowable zoning classifications for the current Future Land Use of SE (Suburban Estates) and the requested designation of LDR (Low Density Residential):

Land Use Designation	Allowable Zoning Classifications	Density
SE (Existing)	A-1 / Agriculture RC-1 / Country Homes PL1 / Public Lands and Institutions PUD / Planned Unit Development RM-3 (4) / Travel Trailer Park and Campsites	1 DU/AC
LDR (Proposed)	R-1 / Single-Family Dwelling R-1A / Single-Family Dwelling R-1AA / Single-Family Dwelling R-1AAA / Single-Family Dwelling R-1AAAA / Single-Family Dwelling A-1 / Agriculture RC-1 / Country Homes PL-1 / Public Lands and Institutions PUD / Planned Unit Development	4 DU/AC

The following table depicts the minimum regulations for the current zoning district of A-1 (Agriculture) district and the requested district of R-1AAA (Single-Family Dwelling) district:

<b>DISTRICT REGULATIONS</b>	<b>Existing Zoning (A-1)</b>	<b>Proposed Zoning (R-1AAA)</b>
Minimum Lot Size	43,560 square feet	13,500 square feet
Minimum House Size	N/A	1,600 square feet
Minimum Width at Building Line	150 feet	100 feet
Front Yard Setback	50 feet	25 feet
Side Yard Setback	30 feet	10 feet
(Street) Side Yard Setback	25 feet	25 feet
Rear Yard Setback	10 feet	30 feet
Maximum Building Height	35 feet	35 feet

**PERMITTED & SPECIAL EXCEPTION USES**

The following table depicts the permitted and special exception uses within the existing and proposed zoning districts:

<b>Zoning District</b>	<b>Permitted Uses</b>	<b>Special Exception</b>	<b>Minimum Lot Size</b>
<b>A-1 (existing)</b>	Citrus or other fruit crop cultivation, truck farms, plant nurseries & greenhouses (not retail), poultry & livestock production, grazing of pasture animals, home occupations & home offices, roadside fruit stands (when grown onsite), government owned buildings (except utilities), public & private elementary schools,	Cemeteries & mausoleums, kennels, hospitals, public & private schools (nursery through college), temporary asphalt plants, etc	1 acre
<b>R-1AAA (proposed)</b>	Single-family dwelling and their customary accessory uses. Boathouses and boat docks as accessory uses, providing the roof of said boathouse does not exceed ten (10) feet above the mean-high-water line. Community residential homes (group homes and foster care facilities) housing six (6) or fewer permanent unrelated residents. Public and private elementary schools. Home offices.	Churches with their attendant educational, recreational buildings, and off-street parking. Public and private middle schools and high schools. Parks and recreational areas publicly owned and operated. Public utility and service structures. Guest cottages. Subdivision sewage treatment and water plants. Boathouses with roofs exceeding ten (10) feet above the mean-high-water line. Assisted living facilities and community residential homes housing 7-14 permanent unrelated residents (including group homes and foster care facilities). (j) Communication towers. (k) Private recreational facilities constructed as an accessory use to civic, fraternal, or social organizations if the existing use is located in a predominantly residential area	13,500 square feet

**COMPATIBILITY WITH SURROUNDING PROPERTIES**

The proposed Small Scale Land Use Amendment and rezone to allow 13,500 square foot lots are not compatible with the surrounding pattern of development. The properties to the north, east and west range in size from one acre to five acres. The lot sizes to the south have a minimum lot size of 11,700 square feet, however they are separated from the subject property by an area of wetlands and floodplain. Although the Weighted Method for Determining Lot Size Compatibility was not applied in this case due to the existing Suburban Estates Future Land Use designation, the following principle from the analysis applies to this situation: more often than not, property located across a lake, wetland, flood prone area or limited access road has no impact on the trend of development (and furthermore does not represent the trend of development) for a given property.

The Future Land Use designations, zoning districts and existing uses for the subject and abutting properties are as follows:

(North)

	<b>SE</b> Single-Family <i>A-1</i> <i>(1 acre lot, 2,000 sq. ft. house)</i>	<b>SE</b> Single-Family <i>A-1</i> <i>(3 acre lot, 1,800 sq. ft. house )</i>	<b>SE</b> Single-Family <i>A-1</i> <i>(4.88 acre lot, 1,780 sq. ft. house)</i>	
(West)	<b>SE</b> Single-Family <i>A-1</i> <i>(1 acre lot, 3,200 sq. ft. house)</i>	<b>SE</b> Single-Family/Vacant <i>A-1</i> <i>(1 acre lots)</i>	<b>SE</b> Single-Family <i>A-1</i> <i>(5 acre lot, 2,500 sq. ft. house)</i>	(East)
	<b>LDR</b> Single-Family <i>R-1AA</i> <i>(11,700 sq. ft. lots, average 2,400 sq. ft. houses)</i>	<b>LDR</b> Single-Family <i>R-1AA</i> <i>(11,700 sq. ft. lots, average 2,400 sq. ft. houses)</i>	<b>MDR</b> Condo Units <i>PUD</i>	

(South)

\* **Bold** text depicts the Future Land Use designation, *italicized* text depicts the existing zoning district and plain text depicts existing use. The shaded cell indicates the subject property. More detailed information regarding surrounding properties can be found in the attached Future Land Use, zoning and aerial photo maps.

## **SITE ANALYSIS:**

### **ENVIRONMENTAL IMPACTS**

#### *Floodplain Impacts:*

Based on FIRM map number 564, an area on the south portion of the property (1.7 ± acres) is located in "Zone A", which is identified as areas located within the 100-year floodplain. Compliance with the Land Development Code regarding flood prone areas is required prior to the issuance of any building permits.

#### *Wetland Impacts:*

Based on preliminary aerial photo and County wetland map analysis, a small area on the northeast portion of the property (0.5 ± acres) contains wetlands. Compliance with the Land Development Code regarding development within and around wetland areas is required prior to the issuance of any building permits.

#### *Endangered and Threatened Wildlife:*

A Threatened & Endangered Species Survey and Species of Special Concern Survey will be required prior to final engineering approval.

### **PUBLIC FACILITY IMPACTS**

Rule 9J-5.0055(3), Florida Administrative Code, requires that adequate public facilities and services be available concurrent with the impacts of development. The applicant has elected to defer Concurrency review at this time. The applicant will be required to undergo Concurrency review prior to final engineering approval.

The following table depicts the impacts the proposed development has on public facilities:

<b>Public Facility</b>	<b>Existing Zoning (A-1)</b>	<b>Proposed Development*</b>	<b>Net Impact</b>
Water (GPD)	1,750	5,950	4,200
Sewer (GPD)	1,500	5,100	3,600
Traffic (ADT)	48	163	115
Schools			
Elementary	1	4	3
Middle	1	2	1
High	1	2	1

\* The Proposed Development is calculated on 20% of the property being dedicated for roads and retention and the proposed lot sizes of 13,500 square feet, for a total yield of 17 lots.

#### *Utilities:*

The site is located in the service area of Seminole County and will be required to connect to public utilities. Water capacity for new development is limited in the Southeast Service Area.

Capacity availability for this project will be determined during the Concurrency process. There is an 8-inch water main on the south side of Gabriella Lane and a 6-inch force main on the west side of Tuskawilla Road 1,175 ± feet to the west. This parcel is in the ten year master plan for reclaimed water and will be required to connect upon availability. A separate irrigation system, such as a shallow well, will be required until reclaimed water becomes available. Approval of the proposed water service utility plan is required prior to the approval of final engineering plans.

*Transportation / Traffic:*

The property accesses Gabriella Lane. Gabriella Lane is a local road with no measured LOS and insufficient right-of-way. Staff has determined that the owner will be required to dedicate a 40' half (7' additional) right of way along property frontage on Gabriella Lane. Gabriella Lane is not currently programmed to be improved according to the County 5-year Capital Improvement Program.

*School Impacts:*

Based on the formulas provided by the Seminole County School District, the proposed zone change will generate approximately 8 school age children. This subject site is currently zoned for, and will affect, the following schools:

<b>Schools Impacted</b>	<b>Proposed Impact</b>	<b>Current Capacity</b>	<b>Enrollment as of 2/10/06</b>	<b>Percent Capacity</b>
Red Bug Elementary	4	819	855	104.4%
Tuskawilla Middle	2	1250	1130	81.4%
Lake Howell High	2	2363	2181	87.7%

*Public Safety:*

The nearest response unit to the subject property is Station # 23, which is located at 4810 Howell Branch Road. Based on a response time of 2 minutes per mile, the estimated response time to the subject property is 3 minutes. The County level-of-service standard for response time is 5 minutes per Policy PUB 2.1 of the Comprehensive Plan.

*Drainage:*

The proposed project is located within the Howell Creek Drainage Basin. Design of the drainage system will be evaluated in more detail prior to final engineering approval.

*Parks, Recreation and Open Space:*

In accordance with Section 30.1344 of the Land Development Code, the applicant will be required to provide twenty-five (25) percent of the site in common open space. Per Section 30.1344 (e), the common open space may include landscape buffers, recreational areas accessible to all residents, as well as the preservation of floodplain areas, wetlands and other natural resources.

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## **APPLICABLE POLICIES:**

### **FISCAL IMPACT ANALYSIS**

This project does not warrant the running of the County Fiscal Impact Analysis Model.

### **SPECIAL DISTRICTS**

The subject property is not within any special districts.

### **COMPREHENSIVE PLAN (VISION 2020)**

The following policies are applicable with the proposed project:

Policy FLU 2.5: Transitional Land Uses

Policy FLU 12.4: Relationship of Land Use to Zoning Classification

Policy POT 4.5 Potable Water Connection

Policy SAN 4.4: Sanitary Sewer Connection

Policy PUB 2.1 Public Safety Level-of-Service

## **INTERGOVERNMENTAL NOTIFICATION:**

Intergovernmental notices were sent to the Seminole County School District on February 22, 2006. To date, no comments have been received.

## **LETTERS OF SUPPORT OR OPPOSITION:**

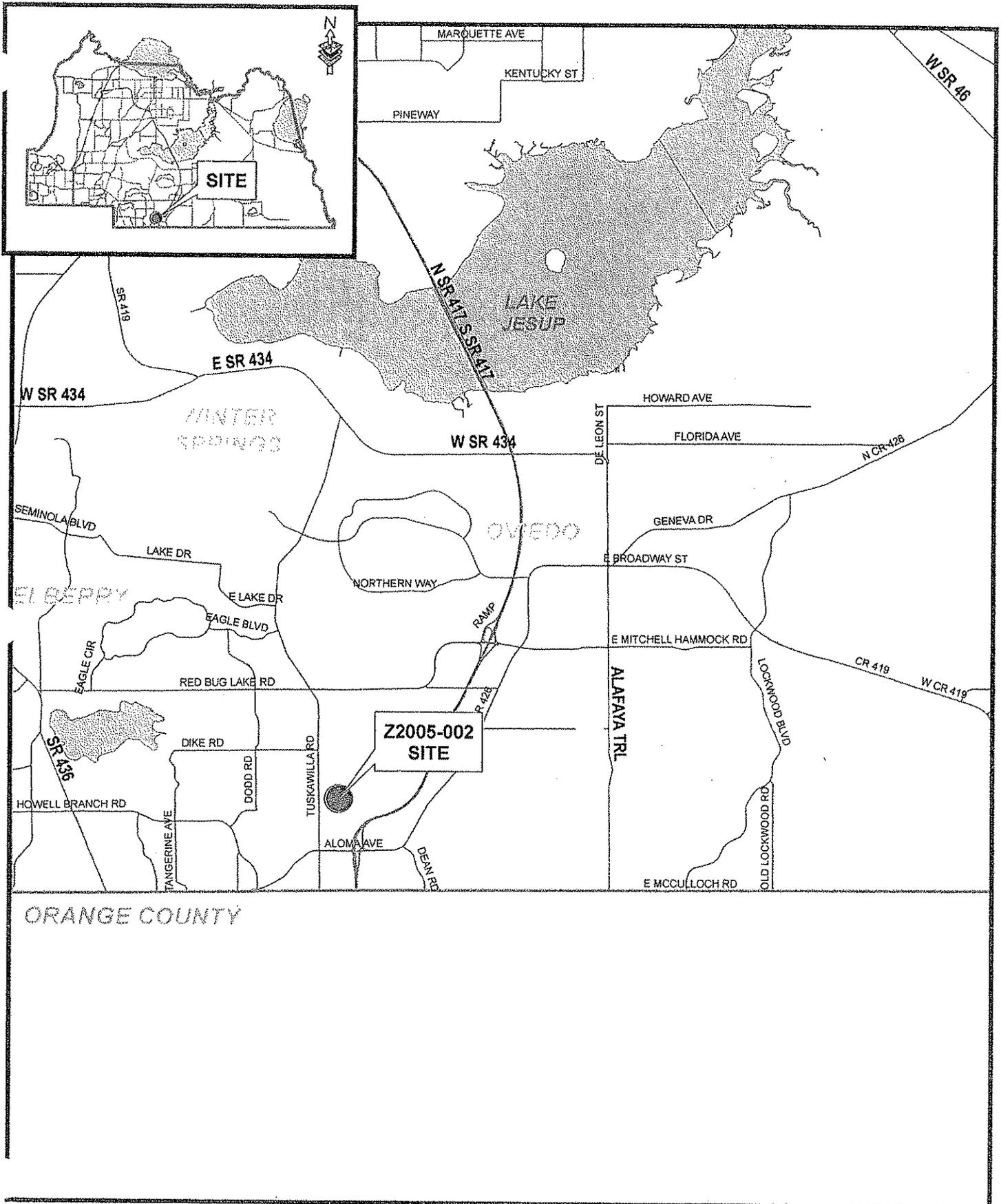
Letters of opposition have been submitted and are attached.

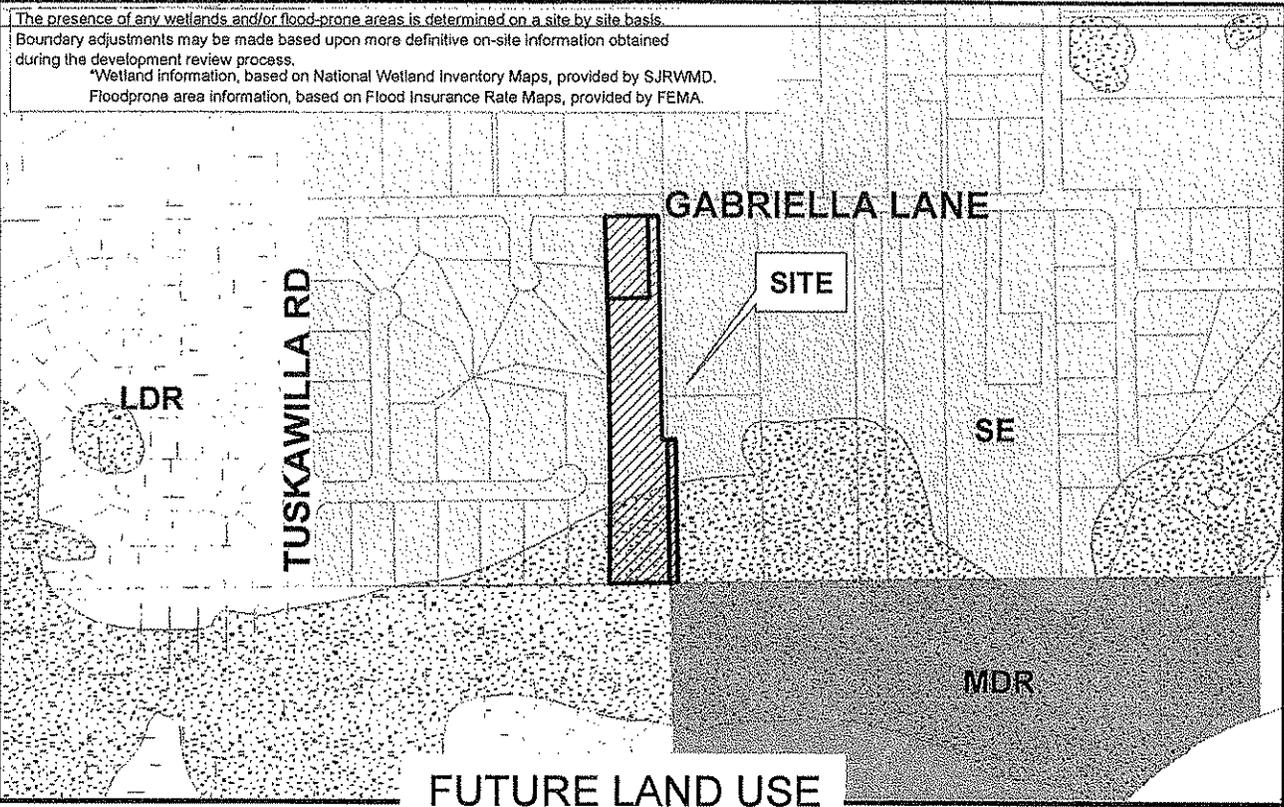
## **STAFF RECOMMENDATION:**

Staff recommends DENIAL of a request for a Small Scale Future Land Use amendment from SE (Suburban Estates) to LDR (Low Density Residential) and a rezone from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district, on 6.5 ± acres, located at 4777 Gabriella Lane, approximately 1050 feet east of Tuskawilla Road.

## **PLANNING AND ZONING BOARD RECOMMENDATION:**

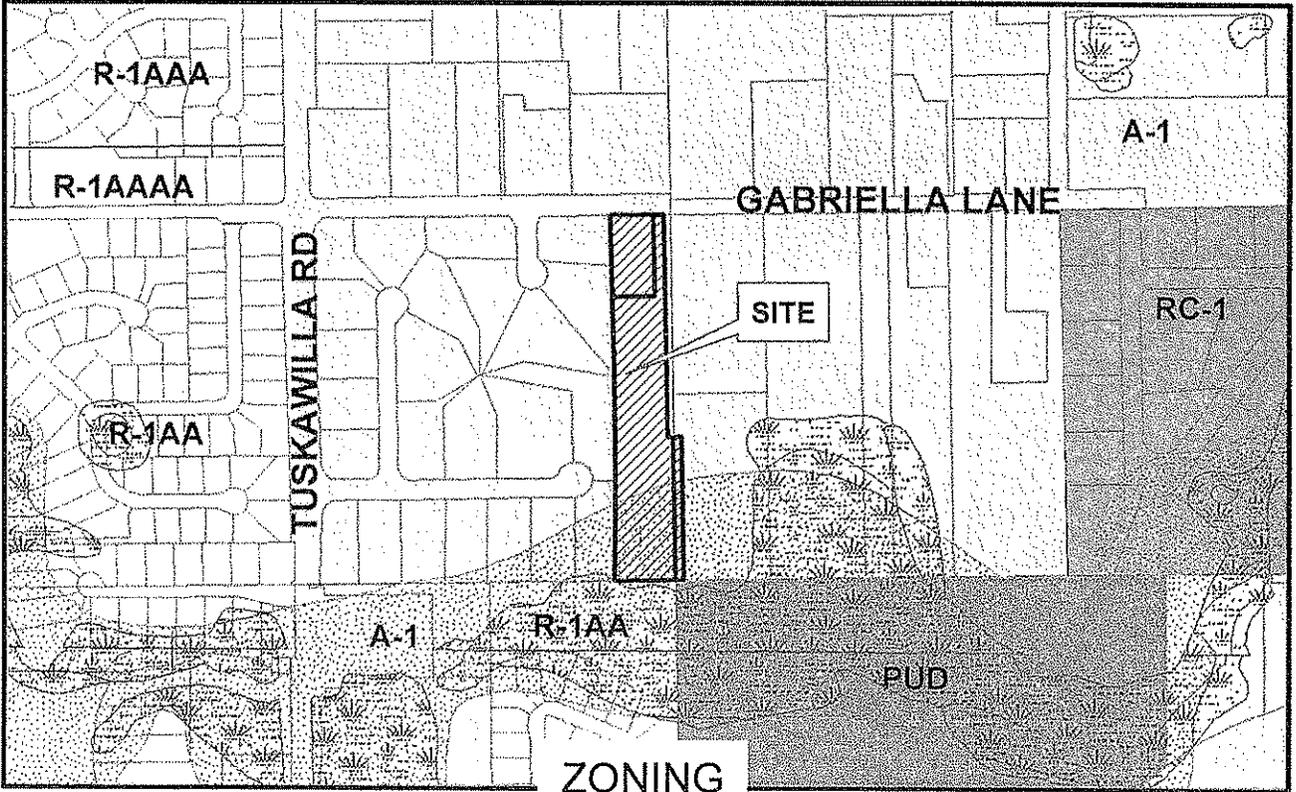
The Planning and Zoning Board met on March 1, 2006 and voted 5-0 to recommend DENIAL of a request for a Small Scale Future Land Use amendment from SE (Suburban Estates) to LDR (Low Density Residential) and a rezone from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district, on 6.5 ± acres, located at 4777 Gabriella Lane, approximately 1050 feet east of Tuskawilla Road, based on staff findings.





Applicant: William and Bernice Abbott  
 Physical STR: 25-21-30-300-038A-0000  
 Gross Acres: 6.11 acres +/-    BCC District: 1  
 Existing Use: Vacant  
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	02-06SS.02	SE	LDR
Zoning	Z2006-02	A-1	R-1AAA



GABRIELLA LANE

Z2005-002  
SITE

FLU No: 02-06SS.02  
From: SE To: LDR  
Rezone No: Z2006-002  
From: A-1 To: R-1AAA

 Parcel  
 Subject Property



January 2004 Color Aerials

**AN ORDINANCE FURTHER AMENDING ORDINANCE NUMBER 91-13, AS PREVIOUSLY AMENDED, KNOWN AS THE SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE MAP OF THE SEMINOLE COUNTY COMPREHENSIVE PLAN BY VIRTUE OF SMALL SCALE DEVELOPMENT AMENDMENT (LEGAL DESCRIPTION IS SET FORTH AS AN APPENDIX TO THIS ORDINANCE); CHANGING THE FUTURE LAND USE DESIGNATION ASSIGNED TO CERTAIN PROPERTY FROM SUBURBAN ESTATES TO LOW DENSITY RESIDENTIAL; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE SEMINOLE COUNTY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Board of County Commissioners of Seminole County enacted Ordinance Number 91-13 which adopted the 1991 Seminole County Comprehensive Plan (“the Plan”), which Plan has been subsequently amended from time-to-time and in accordance with State law; and

WHEREAS, the Board of County commissioners has followed the procedures set forth in Sections 163.3184 and 163.3187, Florida Statutes, in order to further amend certain provisions of the Plan as set forth herein relating to a Small Scale Development Amendment; and

WHEREAS, the Board of County Commissioners has substantially complied with the procedures set forth in the Implementation Element of the Plan regarding public participation; and

WHEREAS, the Seminole County Local Planning Agency held a Public Hearing, with all required public notice, on March 1,2006 for the purpose of providing recommendations to the Board of County Commissioners with regard to the Plan amendment set forth herein; and

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WHEREAS, the Board of County Commissioners held a Public Hearing on April 25, 2006, with all required public notice for the purpose of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies, and other jurisdictions prior to final action on the Plan amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is internally consistent, is consistent and compliant with the provisions of State law including, but not limited to, Part II, Chapter 163, Florida Statutes, the State Comprehensive Plan, and the Comprehensive Regional Policy Plan of the East Central Florida Regional Planning Council.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. RECITALS/LEGISLATIVE FINDINGS:**

- (a) The above recitals are true and correct and form and include legislative findings which are a material part of this Ordinance.
- (b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. AMENDMENT TO COUNTY COMPREHENSIVE PLAN FUTURE LAND USE DESIGNATION:**

(a) The Future Land Use Element's Future Land Use Map as set forth in Ordinance Number 91-13, as previously amended, is hereby further amended by amending the future land use designation assigned to the following property and which is depicted on the Future Land Use Map and further described in the attached Appendix "A" to this Ordinance:

**Amendment Appendix "A"**

- (b) The associated rezoning request was completed by means of Ordinance Number 06- \_\_\_\_.
- (c) The development of the property is subject to the development intensities and standards permitted by the overlay Conservation land use designation, Code requirements and other requirements of law.

**Section 3. SEVERABILITY:**

If any provision of this Ordinance or the application to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

**Section 4. EXCLUSION FROM COUNTY CODE/CODIFICATION:**

(a) It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall not be codified into the Seminole County Code, but that the

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Code Codifier shall have liberal authority to codify this Ordinance as a separate document or as part of the Land Development Code of Seminole County in accordance with prior directions given to said Code Codifier.

(b) The Code Codifier is hereby granted broad and liberal authority to codify and edit the provisions of the Seminole County Comprehensive Plan, as amended.

**Section 5. EFFECTIVE DATE:**

(a) A certified copy of this Ordinance shall be provided to the Florida Department of State and the Florida Department of Community Affairs by the Clerk of the Board of County Commissioners in accordance with Section 125.66 and 163.3187, Florida Statutes.

(b) This ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners; provided, however, that the effective date of the plan amendment set forth herein shall be thirty-one (31) days after the date of adoption by the Board of County Commissioners or, if challenged within thirty (30) days of adoption, when a final order is issued by the Florida Department of Community Affairs or the Administration Commission determining that the amendment is in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land use dependent on an amendment may be issued or commence before an amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, the affected amendment may nevertheless be made effective by the

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**Board of County Commissioners adopting a resolution affirming its effective status, a copy of which resolution shall be provided to the Florida Department of Community Affairs, Bureau of Local Planning, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100 by the Clerk of the Board of County Commissioners.**

**ENACTED this 25th day of April, 2006.**

**BOARD OF COUNTY COMMISSIONERS  
OF SEMINOLE COUNTY, FLORIDA**

**By: \_\_\_\_\_**

**Carlton D. Henley, Chairman**

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## APPENDIX A

The East 215.00 feet of the Southeast 1/4 of the Southeast 1/4 of Section 25, Township 21 South, Range 30 East, Seminole County, Florida, LESS the East 10.00 feet of the North 810 feet thereof and LESS Right-of--way for Gabriella Lane; TOGETHER WITH the West 29.00 feet of the South 504.84 feet of the Southwest 1/4 of Section 30, Township 21 South, Range 30 East, Seminole County, Florida.

CONTAINING 6.5 ACRES, MORE OR LESS.

AN ORDINANCE AMENDING, PURSUANT TO THE LAND DEVELOPMENT CODE OF SEMINOLE COUNTY, THE ZONING CLASSIFICATIONS ASSIGNED TO CERTAIN PROPERTY LOCATED IN SEMINOLE COUNTY; ASSIGNING CERTAIN PROPERTY CURRENTLY ASSIGNED THE A-1 (AGRICULTURE) DISTRICT ZONING CLASSIFICATION THE R-1AAA (SINGLE-FAMILY DWELLING) DISTRICT ZONING CLASSIFICATION; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

**Section 1. LEGISLATIVE FINDINGS.**

(a) The Board of County Commissioners hereby adopts and incorporates into this Ordinance as legislative findings the contents of the documents titled "Tuskawilla Acres Rezone."

(b) The Board hereby determines that the economic impact statement referred to by the Seminole County Home Rule Charter is unnecessary and waived as to this Ordinance.

**Section 2. REZONINGS.** The zoning classification assigned to the following described property is changed from A-1 (Agriculture) district to R-1AAA (Single-Family Dwelling) district:

**SEE ATTACHED EXHIBIT A**

**Section 3. SEVERABILITY.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

**Section 4. EFFECTIVE DATE.** A certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with Section 125.66, Florida Statutes, and this Ordinance shall be effective on the recording date of the Development Order #    in the Official Land Records of Seminole County.

ENACTED this 25th day of APRIL 2006.

BOARD OF COUNTY COMMISSIONERS  
SEMINOLE COUNTY, FLORIDA

By: \_\_\_\_\_  
Carlton D. Henley  
Chairman

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**EXHIBIT A**  
**LEGAL DESCRIPTION**

The East 215.00 feet of the Southeast 1/4 of the Southeast 1/4 of Section 25, Township 21 South, Range 30 East, Seminole County, Florida, LESS the East 10.00 feet of the North 810 feet thereof and LESS Right-of-way for Gabriella Lane; TOGETHER WITH the West 29.00 feet of the South 504.84 feet of the Southwest 1/4 of Section 30, Township 21 South, Range 30 East, Seminole County, Florida.

CONTAINING 6.5 ACRES, MORE OR LESS.

**MINUTES FOR THE SEMINOLE COUNTY  
LAND PLANNING AGENCY / PLANNING & ZONING COMMISSION  
MARCH 1, 2006**

**Members present:** Matt Brown, Beth Hattaway, Ben Tucker, Dudley Bates, and Walt Eismann

**Members absent:** Jason Brodeur, Rob Wolf

**Also present:** Tom Radzai, Senior Engineer Development Review; Denny Gibbs, Senior Planner; Tony Walter, Planning Manager; Dan Matthys, Director of Planning and Development; Michael Rumer, Senior Planner; Ann Colby, Assistant County Attorney; Cynthia Sweet, Planner; and Candace Lindlaw-Hudson, Secretary.

**Tuskawilla Acres Rezone and Small Scale Land Use Amendment; William H. Abbott, applicant;** approximately 5.5 acres; SSLUA from SE (Suburban Estates) to LDR (Low Density Residential) and Rezone from A-1 (Agriculture District) to R-1AAA (Single Family Dwelling District); located at 4779 Gabriella Lane. (Z2006-02 / 02-06SS.02)

Commissioner Dallari – District 1  
Michael Rumer, Senior Planner

Michael Rumer introduced the Tuskawilla Acres Small Scale Future Land Use Amendment and Rezone located on Gabriella Lane. The applicant is requesting a change from SE to LDR and rezone from A-1 to R-1AAA. The lot size would be 100 foot width and a 13,500 square feet minimum size. The property is surrounded on 3 sides by SE (Suburban Estates) future land use and A-1 (Agricultural District) zoning. Parcels to the south and southwest have a designation of LDR (Low Density Residential) and MDR (Medium Density Residential), however, the land contiguous with the site is a wetland. In 1995 the Bear Gully Creek Small Area Study was conducted. At that time the landowners in the area were polled and the majority of them said that they would prefer to keep the area as a large lot residential neighborhood. Although the area has been classified as LDR – Low Density Residential – since 1977, the most intensive zoning in the area was A-1 for more than 30 years. The neighborhood had developed into primarily 2.5 to 5 acre lots, with the majority of the community believing that the surrounding properties would be developed in a manner that protected the suburban estates life style. The study also found that the storm water and drainage problems negatively affected much of the land within the study area. The unimproved drainage system which was put in place for agricultural uses needs to be improved before more intensive urban development can occur. The internal traffic system within the study area was substandard and not designed to serve more intense urban development. Since the much of the

land in the study area was already developed as large acreage lots, one acre lots were considered an increase in density. As a result of the study, the Board of County Commissioners changed the future land use of the area from LDR (Low Density Residential) to SE (Suburban Estates) in 1995. Mr. Rumer concluded by saying that Staff finds that the Bear Gully Creek Small Area Study is still valid. The request for a future land use amendment and rezone are not compatible with the surrounding area. Staff recommendation is for denial of the request.

William H. Abbott, applicant, said that he had the property for more than 35 years. For 18 years, R-1 was encompassed in the residential zoning. The BCC under Ms. Warren had changed that. On all sides of the property is single family residential use. The area along Gabriella Lane is rapidly developing. Four properties have single family houses. After 35 years the sale of the property will support Mr. Abbott and his wife. One can drive short distances and see apartments and residential uses. Growth is in the area. Mr. Abbott stated that he has a contract for 3 houses per acre. \$700K houses will not downgrade anything. Mr. Abbott stated that this property must be rezoned. It is essential to him. Please consider this rezoning on its merits.

No one spoke in support of the application.

Ruth Wood spoke in opposition. She did not get a notice of the hearing, living beyond the perimeter of notification. She indicated on the map a large area of A-1 zoning stretching from the local middle school and Parker Court to and said that there are septic tanks there. Ms. Wood said that a large portion of Mr. Abbott's land abuts Bear Creek. The land is very wet in some areas. One house per acre type development is good for this area. 3 to 4 houses per acre is too intense. It should remain Suburban Estates.

Commissioner Brown asked what size parcel Ms. Woods lived on.

Ms. Woods said that she lived on one acre. Ms. Wood then asked about why the land had the designations of A-1 and Suburban Estates.

Tony Walter explained that one was a future land use designation (Suburban Estates) which allows lots of one net buildable acre or larger, and one was the zoning (A-1).

Ahmad Saidi said that he has 10 acres on Brooks Lane, northwest of the subject property. He said that in 1995 the Bear Creek Study people were championed by a gentleman from Alaquia on Markham Woods Road. Mr. Saidi stated that he owned several parcels which totaled 27 acres. The one acre parcel owners found that one acre zoning was lucrative for them. Mr. Saidi said that he appeared before the BCC and was grandfathered into have 3 and 4 houses per acre. Mr. Saidi stated that he later divided his property with his former wife, leaving him with 10 of the original acres: Parcels numbered 5D, 5E and 5F. He will be

asking for zoning for 3 houses per acre on his land soon. His former wife will add her land, to make a 27 acre subdivision. In the last 10 years only one upscale house has been added in the area. Progress is continuing. Managed growth is the County's responsibility. In 1995 he was allowed to build 3 houses per acre. Mr. Saidi said that he is in support of Mr. Abbott's request, since he will have one similar coming up.

Karen Cunningham of 4805 Gabriella Lane stated that she and her husband live immediately adjacent to Mr. Abbott in Lot 4B. She represents the Fernandez family at 4762, the Shank family of 4708, Mrs. Fernandez at 4660, Mr. and Mrs. Bill Watts at 4824, and Mrs. Virginia Miles at 4848 Gabriella Lane. All of these neighbors have sent e-mails in opposition to this request. Mrs. Cunningham said that she had moved to her home in 1993 from an R-1A subdivision in Seminole County. Her family had wanted to remain in Seminole County. They chose Gabriella Lane due to the suburban estates life style. There are native species here and an abundance of live stock. On May 4, 1994 Mr. Abbott petitioned to rezone the 11 acres that he owned from A-1 to R-1A. On July 12, 1994 this petition was denied. At that hearing Tony Matthews was given the task of doing the Seminole County Bear Gully Creek Small Area Land Use Study. Many of the neighbors attended the public hearings on that. A large scale plan amendment was done in December of 1995 adopting the land use change from LDR to SE, with the applicant being Seminole County. Ms. Cunningham stated that it was her impression that the land use amendment would make it difficult to make changes. The neighbors are the same in the area now as eleven years ago. Mr. Abbott has sold the land behind her lot. Mr. Abbott is now working with 5.5 acres. Ms. Cunningham said that she is not opposed to Mr. Abbott developing his land. She is opposed the developing of his land to R-1AAA. That would be four houses per acre without clustering. Ms. Cunningham also stated that there are a few new homes, but they are estate homes. Ms. Cunningham said that she is on 4.9 acres. If Mr. Abbott's land is subdivided into small lots, it will devalue the land surrounding his lot and be incompatible with the neighborhood. There are horses, pigs, and other livestock in the neighborhood. There has been a meeting at Gleason's with the sheriff's department to discuss the traffic in the neighborhood. There will be increased traffic and problems with the upgrading of the intersection of Red Bug Lake Road and Tuskawilla. Regarding the pond on Mr. Abbott's property, it is a retention pond. Bear Gully Lake is across the road, not on the Abbott property as the map indicates. Also, there is no lift station in the area; it is all on septic. This rezoning will set a precedent for smaller lots. She concluded by asking audience members to indicate their opposition by a show of hands. 27 members raised their hands.

Gerri Bugge of 100 Mlinda Lane in Raintree at the end of Gabriella Lane, has lived in the area since 1983. She also participated in the small area study. She is against this request. She questioned the dates when the future land use was changed.

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Mike McCoy of 5055 Bruce Lane stated that if this request is approved, it will open up the flood gates to divide up lots along Gabriella Lane and Brooks Lane. He is opposed.

Stephanie Black of 1800 Brooks Lane owns 2 acres behind Publix. She has horses there. She recently rebuilt a new home on the property she has been living on. Ms. Black said she is opposed to this request. She does not mind development, but it must be done according to the parameters. Approving this request would be reverse discrimination – reversing against the rights of local property owners. One can get \$200 - \$250 thousand dollars per one acre for vacant land today. The area does not need the increased traffic. Also the area is on septic systems. Please deny the request.

Gloria Rines is also opposed to the rezone. She bought her property (Lot 38C) from Mr. Abbott in 1996. The area is low lying, with water near the property line. She has a barn with 6 horses. This request will clash with the area. Approving this will destroy her dream. She does not want a subdivision in her back yard.

Virginia Watts has lived at 4824 Gabriella Lane since 1981. Her mother Mrs. Miles lives at 4848 Gabriella Lane. Ms. Watts said that she lives next to Mr. Saidi's former wife's property. Ms. Watts and her husband took part in the 1995 land study. She is amazed that this is going on. Back in 1995 she was told the land use change was the way to save the community. She had a petition with over 200 names opposed to the development plans of Mr. Abbott and Mr. Saidi then. The area has not been stagnant. She and her husband have just built a new home on their lot and a doctor down the street has put in a new home on a 10 acre lot. There are new homes all over the area on one acre lots. People know that it is a community. There are no people looking to develop their land except for Mr. Abbott and Mr. Saidi. It would be reverse discrimination to allow this to occur. It will take away the suburban life style and property values.

Bill Watts said that he thought this battle had been fought years ago. Mr. Abbott's relatives have moved away. After this is rezoned, Mr. Abbott will move on. Mr. Watt's said that notices were sent out for 300 feet. The entire neighborhood did not receive a notice. When you are dealing with large lots, a 300 foot radius is not enough.

Tony Walter explained that hearings are advertised three different ways. One is an advertisement in the newspaper, at least 10 days prior to the meeting. The property is posted with a placard 15 days prior, and notices are mailed out to the surrounding property owners.

Commissioner Tucker asked if the property had been legally posted.

Mr. Walter said that it had.

Commissioner Brown asked if the property had been posted by the applicant or the county.

Mr. Walter said that the county had been unable to reach Mr. Abbott, so Mr. Walter had posted it himself.

Commissioner Brown asked if the county checks to see that the site had been posted.

Mr. Walter said that the site is visited by staff and the applicant must send in an affidavit to verify that the posting occurred.

Commissioner Eismann said that he had seen the posting himself, and that upon revisiting the site after a large storm he had seen the placard on the ground.

Martha Gravely said that she moved to the area in 1965. Her mother lives at #4872 and she lives at 4880. When she moved to the area it was totally rural. There are two subdivisions in the immediate area and others on the edge. Traffic is increasing daily. The area is flood prone. The petitioner's property is right next to a wetland. Developing the area will bring more flooding.

Mike Gambrell lives at 4631 Parker Court. He is concerned about a cut-through on Parker Court. The Tuskawilla Estates area is serene. There is a country setting there. He would like to preserve the area the way it is. Please keep it at the one acre level. The requested change will open the flood gates for development in the area.

Mr. Abbott said that the pond on his property was dug in 1954 by the State of Florida Agriculture department. It is an active pond. It is not retention. He does not think that the easement coming off of Parker Court would be used actively, except for the easement.

Mr. Abbott can feel for the previous speakers. As one of the speakers pointed out, there is development all around in subdivisions. His He has lived there for 20 years and his wife has lived there for more than that. He asked for the commission's consideration

Commissioner Eismann said that he lives on Edgar Court. He feels that the application is wrong for the area.

**Commissioner Eismann made a motion to recommend denial for the request.**

**Commissioner Bates seconded the motion.**

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Commissioner Tucker said that concerning property rights, other people have a right to attempt to develop their property and have a fair hearing.

Commissioner Brown said that Suburban Estates is a guideline for the area.

Commissioner Hattaway supports Mr. Abbott's right to ask for a rezoning, but she agrees with the findings of the small area study.

**The motion passed 5 – 0.** The application was recommended for denial.

Respectfully submitted,

Candace Lindlaw-Hudson



PaintMare21@aol.com

02/27/2006 09:10 PM

To CHudson@seminolecountyfl.gov.

cc plandesk@seminolecountyfl.gov.

bcc

Subject Objection to William H. Abbott Rezone

History:

✉ This message has been forwarded.

Hi,

My name is Gloria J. Riness I live at 4795 Gabriella Ln. Oviedo, FL. I'm adjacent to William H. Abbott proposed rezoning on parcel 38C. My objections to the rezoning are as follows:

- 1) A subdivision does not belong in a rural country area where most of the homes are located on 5 acres of property or more.
- 2) There are issues with traffic congestion, drainage on a already low lying land, not to mention the crime this could bring to our quiet rural area.
- 3) I own 6 horses and the noise of a neighborhood being built would cause undue stress upon my horses, other farm animals, and the wildlife such as eagles, redtail hawks, wild peacocks, and bobcats.
- 4) Another affecting factor would be the liability that would come with neighbors trying to touch, feed or even try to ride my horses without our consent.
- 5) It would decrease my property value since my property lines up next to the proposed subdivison and other properties in general as well.
- 6) We moved here in 1996 to escape the suburban neighborhoods. We did not purchase our 5 acre country estate to live within a neighborhood. We feel this willl greatly impact our lives both mentally and physically in a negative way.

This is just a few of my concerns as my neighbors have probably raised some of the same issues.

Sincerely,  
Gloria J. Riness



BWav5@aol.com  
02/28/2006 02:11 PM

To: CHudson@seminolecountyfl.gov  
cc: plandesk@seminolecounty.gov.  
bcc:  
Subject: Opposing the William Abbott Rezone project

History

 This message has been forwarded.

Hello,

My name is Mary Wingfield I'm 83 yrs old and am a partial owner to parcel 38C located at 4795 Gabriella Lane adjacent to the proposed rezoning, my objections are as follows:

1) This is a rural country area which most of the homes are located on acreage, a subdivision would not fit into the area or blend with the surrounding properties, it would be an eyesore to this beautiful peaceful area.

2) I bought this property to live out the rest of my life here in privacy with the peace and quiet country life brings, not to have a subdivision built right next to me with the noise and traffic and crime it would bring.

3) A subdivision life is different than the farm life where people have farm animals such as horses like we do, this would clash and people would complain about our livestock and this would cause me and my family severe stress having to deal with those issues.

4) Also this would decrease our property values. and ruin our lives.

PLEASE DON'T LET THIS HAPPEN !!



"Susan Provost"  
<tinkm510@hotmail.com>  
03/01/2006 04:12 PM

To chudson@seminolecountyfl.gov  
cc  
bcc  
Subject Tusawilla Acres issue

My husband, Ed Trubenbach, and I, Susan Provost, reside at 4650 Parker Court Oviedo. We are very close to the area owned by Wm. H. Abbott who wants to rezone for small scale and use. We are HIGHLY opposed to this change. We strongly believe this rezoning would effect our home value in a NEGATIVE way.

We implore you as our City Councilors to VETO this request by Abbott.

Thank-you  
Susan Provost  
Ed Trubenbach  
407-657-7821

Unfortunately due to prior committments, we are unable to attend the meeting tonight.



"Michael W. Horton"  
<mikehorton1@yahoo.com>  
03/01/2006 11:16 AM

plandesk Seminole County  
To <plandesk@seminolecountyfl.gov>, dmerkt  
<dmerkt@seminolecountyfl.gov>  
cc  
bcc  
Subject Tuskawilla Acres Rezone 3/1/2006: Against proposal

Good Morning,

I received a letter from Seminole County yesterday (2/28/2006) informing me of a meeting tonight (3/1/2006) about the rezoning of Tuskawilla Acres by Mr Abbott. I will not be able to make the meeting on such short notice. My property is next door to Mr Abbott. I reside at 4661 Parker Ct., Oviedo, FL 32765.

My position is NOT to approve The rezoning for Abbott. How many times is he going to do this?

The study and approval in 1995 was an excellent choice of the Commisioners & Staff of Seminole county and should not change for the future land use. One dwelling per acre is the right decision, anything other than that brings in environmental issues as well as water, traffic, water runoff and many other issues.

I agree with the counties decision in 1995 and I would like to see it continue being enforced.

Thank you,  
Michael Horton  
Horton Land & Development  
4661 Parker Ct  
Oviedo, FL 32765  
407-657-6213  
407-672-5411: FAX  
407-432-0710: CELL

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Yahoo! Mail

Bring photos to life! [New PhotoMail](#) makes sharing a breeze.



"Hickey, John"  
<jhickey@concordefs.com>  
03/01/2006 04:42 PM

To "plandesk@seminolecountyfl.gov"  
<plandesk@seminolecountyfl.gov>  
cc  
bcc  
Subject Tuskawilla Acres Rezone and Small Scale Land Use  
Amendment

Dear Madam or Sir:

I wish to express my concern about this rezoning request. My biggest concerns are the possible drainage issues which may occur should this rezoning occur along with expected development; the drastic changes to this area of large home sites; and the possibility of road access via Parker Court at some time in the future.

Possible drainage issues:

I live on the south side of Parker Court 3 lots to the east of the lot requesting rezoning. During the rainy season, the southeast corner of my lot is very wet with standing water at times. With development on this particular lot, we do not know what the effect would be to the natural drainage, though I would believe there would be a negative impact. Also, I would think the southern end of this lot would not be developable.

Changes in the Landscape:

The area east of Tuskawilla Road, south of Gabriella, and north of Bear Gully Creek are all suburban estates with home sites of at least 1 acre, many much larger. To but a development of ¼ acre lots in the middle of this area would de-value the surrounding properties, as well as take away from the rural look of the area.

Road Access:

My biggest concern would be the developer of this lot to request road access via Parker Court which would most definitely de-value our properties and cause unnecessary traffic with vehicles using this as a cut-through to Gabriella.

I would never want to prevent a land owner from using their land; this rezone request just does not fit it with the surrounding area. Also, my understanding is that this owner or a previous owner was previously denied such a rezone request. There must have been valid reasons for the denial, and the area has not changed to approve the rezone request at this time.

Thank you,

John W Hickey

4641 Parker Court

Oviedo, FL 32765

407.677.4485



HSagues@flvs.net  
03/02/2006 03:18 PM

To <plandesk@seminolecountyfl.gov>  
cc  
bcc  
Subject Tuskawilla Acres Rezone and Small Scale Land Use  
Amendment;

Hello,

We currently reside in Tuskawilla Acres at 2220 Eugenia Ct. and would like to commend the Planning and Zoning Committee in their research and recommendation to DENY the zoning change located at 4779 Gabriella Lane.

[http://www.seminolecountyfl.gov/pd/pzagenda/20060301/pz03h%20tuskaw\\_001.pdf](http://www.seminolecountyfl.gov/pd/pzagenda/20060301/pz03h%20tuskaw_001.pdf)

Thank you,

Holly and Bill Sagues

Holly Sagues  
Chief Information Officer  
Florida Virtual School  
www.flvs.net  
Phone: 407.317.3326 ext. 2578  
.....where every student has a front row seat.



"Dean Martinson "  
<deanmartinson@earthlink.net>

02/28/2006 10:01 PM

To <Plandesk@seminolecountyfl.gov>

cc

bcc

Subject Comments on William Abbott request for rezone

Ref: William H. Abbott rezone request # Z2006-02/02-06SS.02

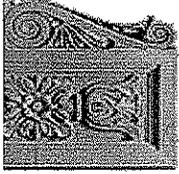
We live at 205 Echo Hollow Way in Raintree Country Estates which is located at the end of Gabriella (about 1/4 mile from the rezone request). We are OPPOSED to this rezoning request !

This gentleman requested a similar rezoning approximately 10 years ago. At that time we worked with our county commissioner and had this rezoning request denied. We then petitioned the state to designate the land use in our area as an suburban/country area with a minimum of 1 acre lots. This is the best I can describe this from memory. IT WAS APPROVED BY THE STATE !! I can't tell from your rezoning announcement how many lots Mr. Abbott is trying to rezone but even 1 lot would set a precedent for more in the future. Mr. Abbott has a large amount of land in this area - there is no reason why he cannot subdivide it into parcels with a minimum size of 1 acre to meet the current land use designation/zoning.

We want our little piece of Seminole County to remain rural as it has always been.

Sincerely,

Dean & Donna Martinson



**Michael Rumer/Seminole**  
03/01/2006 04:48 PM

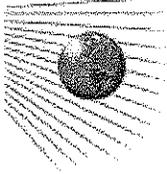
To Candace Hudson/Seminole@Seminole  
cc  
bcc  
Subject Fw: Land Use Change

Please print and put with the rest of them.

Michael Rumer  
Senior Planner, Planning and Development Department  
Seminole County Government  
1101 E. First Street  
Sanford, FL 32771

Phone 407.665.7387  
Fax 407.665.7385  
mrumer@seminolecountyfl.gov  
www.seminolecountyfl.gov

----- Forwarded by Michael Rumer/Seminole on 03/01/2006 04:47 PM -----



**Dan Matthys/Seminole**  
03/01/2006 04:37 PM

To Michael Rumer/Seminole@Seminole  
cc  
Subject Fw: Land Use Change

Dan Matthys, AICP, CPM  
Director, Planning & Development Department  
Seminole County Government  
1101 East First Street  
Sanford, Florida 32771  
Phone: (407) 665-7397  
Fax: (407) 665-7367

----- Forwarded by Dan Matthys/Seminole on 03/01/2006 04:37 PM -----



**Gretchen Venn/Seminole**  
03/01/2006 03:21 PM

To Tony Walter/Seminole@Seminole, Don Fisher,  
<dmatthys@seminolecountyfl.gov>  
cc  
Subject Fw: Land Use Change

----- Forwarded by Gretchen Venn/Seminole on 03/01/2006 03:20 PM -----



**Helen Endicott/Seminole**  
03/01/2006 02:59 PM

Amy Lockhart/Seminole@Seminole, Diane  
Merkt/Seminole@Seminole, Fran  
Newborg/Seminole@Seminole, Gretchen  
Venn/Seminole@Seminole, Dianne  
Eswine/Seminole@Seminole  
cc  
Subject Fw: Land Use Change



Good afternoon all.

Forwarding for your Commissioner's review.

Thank you.

Helen Endicott  
Executive Assistant  
Seminole County Manager's Office  
1101 E. First Street  
Sanford, FL 32771  
Phone: 407-665-7212  
Fax: 407-665-7958

----- Forwarded by Helen Endicott/Seminole on 03/01/2006 02:58 PM -----



"Terry L. Schenk"  
<tlschenk@earthlink.net>  
03/01/2006 12:26 PM

To <hendicott@seminolecountyfl.gov>  
cc  
Subject Land Use Change

TO: Seminole County Board of County Commissioners

FROM: Terry and Suzy Schenk  
4708 Gabriella Lane

Joe and Mary Fernandez  
4662 Gabriella Lane

Lucy Hernandez  
4660 Gabriella Lane

SUBJ: Proposed Land Use Change / Re-zoning

DATE: March 1, 2006

Commissioners: A land use change and zoning amendment is being proposed to you by a Mr. William H. Abbott of 4779 Gabriella Lane. He is seeking to change the zoning in our area from A-1 to R1-AAA. This proposed change is environmentally incompatible with this present residential area. Negative impacts will be realized from increased traffic, reduced property values, and the loss of the character of our neighborhood. People have purchased property in this area in order to raise horses and live in an environment where animals can be raised. While the proposed plot is adjacent to a small group of homes, most residences in the area are on one acre sites to support the

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previously mentioned land use. Although we are unable to attend the hearing on this matter this evening we would like to voice our opposition to this change. This is the second time that the issue has been brought before the BCC and we ask you to,once again, deny this change that would be so detrimental to our nice neighborhood.

Thank you

--\*\*\*\*Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. Seminole County policy does not differentiate between personal and business emails. E-mail sent on the County system will be considered public and will only be withheld from disclosure if deemed confidential pursuant to State Law. \*\*\*\*

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